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SOUTH CAROLINA CHILDREN'S FOSTER CARE REVIEW BOARD SYSTEM



ANNUAL REPORT 1985-86

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STATE DOCUMENTS

LETTER OF TRANSMITTAL

The Honorable Richard W. Riley
and Members of the General Assembly

I am pleased to report herein the activities of the South Carolina Children's Foster Care Review Board System for the fiscal year 1985-86. We have reviewed 4,215 cases of children in public and private foster care during this year and have made recommendations for permanent placement for these children to the Family Court and to appropriate agencies.

In 1986 permanent legislation and regulations for the Agency were enacted by the General Assembly. This legislation established several new responsibilities and procedures for the Agency. In response to these new responsibilities the Agency has reported to the Family Court the status of court ordered treatment plans and has implemented the affidavit of summary review process for qualified privately placed children.

The Agency has encouraged the return of children to their natural parents when appropriate; has promoted and encouraged all other agencies and facilities involved in placing children in foster care to place children with persons suitable and eligible as adoptive parents; has advised foster parents of their rights to petition the Family Court for termination of parental rights and adoption; and has recommended that all efforts be exerted by child caring facilities and agencies to arrange permanent foster care or guardianship where appropriate.

The Agency has reported regularly to the State Office of the Department of Social Services and other adoptive and foster care agencies any deficiencies in these agencies' efforts to secure permanent homes for children. The Agency has also compiled and included herein a deficiency report regarding services to foster children in our State.

The Agency continues to see progress being made in the delivery of services to foster children and to their families. Unfortunately, we also continue to see in the service delivery system deficiencies which require redress to protect the rights and best interests of the children in foster care in South Carolina.

Respectfully submitted,

Christine O. Jackson

Christine O. Jackson, Chairperson
Board of Directors

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HISTORICAL DEVELOPMENT

In the early 1970's in South Carolina many child welfare professionals and citizens groups began advocacy efforts on behalf of children in the foster care system. These efforts resulted from their concern over the plight of the child adrift in the foster care system. The ultimate result of these efforts was the establishment of the Children's Foster Care Review Board System in 1974, one of the first such organizations in the nation.

Six major private organizations between 1970 and 1974 spearheaded the initial concern to obtain permanent homes for children in foster care. These organizations were the American Civil Liberties Union, the South Carolina Council for Human Rights, the South Carolina League of Women Voters, the Midlands Chapter of the National Association of Social Workers, the South Carolina Youth Workers Association and Helping Hands of Aiken County. Child psychiatrists, child psychologists, social work professors, law professors and various church leaders also participated as private citizens to help give direction to the project.

Research to document the condition of foster care in South Carolina was a primary focus of these organizations. Four studies were conducted as a result of their efforts including two studies done in cooperation with Representative Carolyn Frederick, Vice Chairperson of the South Carolina General Assembly's Study Committee on Legal and Legislative Matters Pertaining to Children. The results of these four studies showed the following:

1. Seventy-six percent(76%) of the children in the Department of Social Services foster care program would neither return home nor be adopted under the existing system. Services were not being provided by the system to the parents to facilitate return home and no efforts were made to free many children eligible for adoption under the abandonment statute.
2. A survey of fourteen private and three public institutions, formerly known as orphanages, showed that the Department of Social Services placed 43% of the children while private placements accounted for 57% of the children placed. Some 25-50% of these children were eligible for adoption under the abandonment statute; however, none of these institutions stated that adoption was one of their services. In addition, most of these institutions offered no services to families to enable return of the children home.

3. Forty-three percent(43%) of the children in foster care had been in two or more foster placements and 18% had been in three or more.
4. No method existed to keep track of children in foster care. The courts expressed concern about children being lost in the system. Even when children were freed for adoption, the courts had no way of knowing if the children had been placed adoptively.
5. The cost to tax payers for keeping children in foster care was growing steadily with no resolution in sight.
6. Children were suffering irreparable psychological damage as victims of foster care drift.

The findings from these studies clearly indicated the need for a system to monitor the cases of children in foster care to achieve appropriate permanent placements for these children.

Thus, a statewide foster care review board system was legislated by the 1974 General Assembly. In March of 1975 Governor James Edwards, by Executive Order, established the Office of Child Advocacy as a division of the Office of the Governor. This Executive Order charged that the Office of Child Advocacy establish and coordinate the Children's Foster Care Review Board System and act as ombudsman on behalf of the abused, neglected, abandoned, dependent children of the State. The initial funding for the Review Board system as part of the Office of Child Advocacy was shared by the State and the Edna McConnell Clark Foundation.

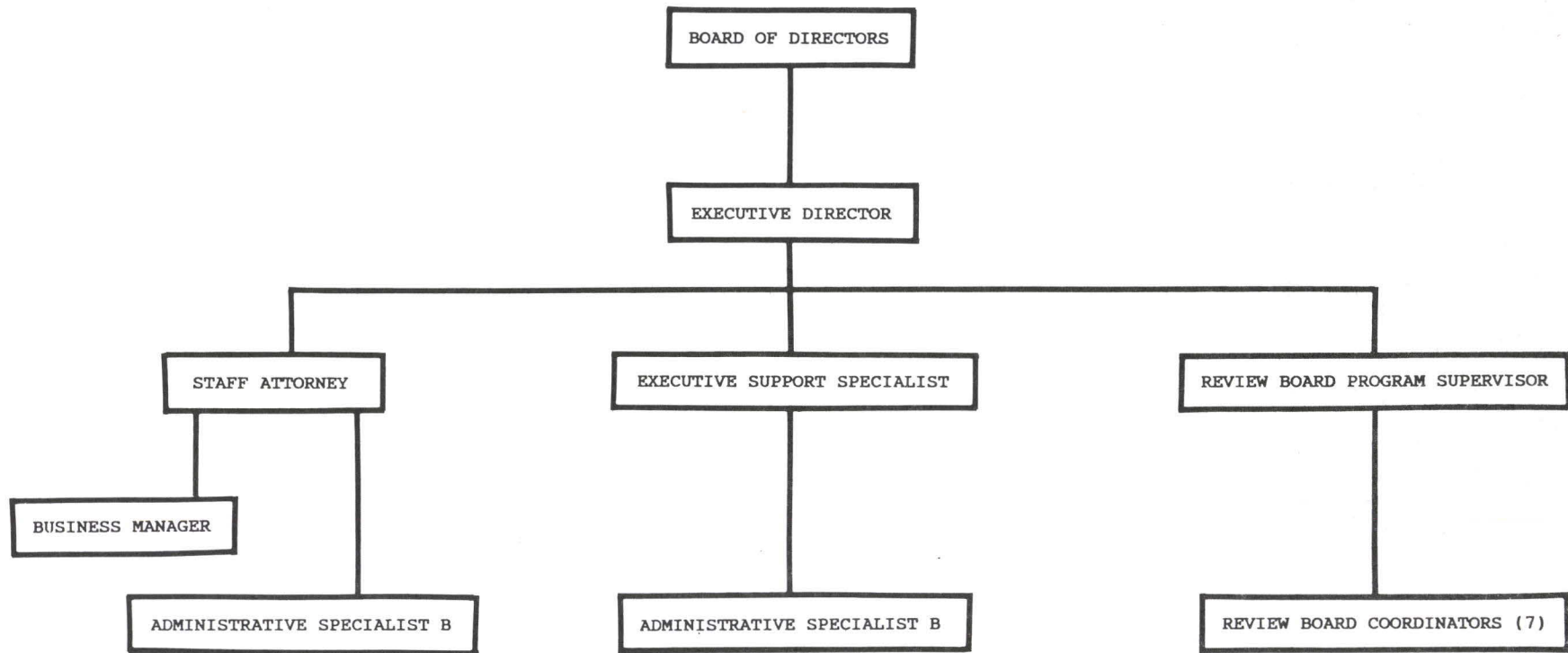
In 1977 the Children's Foster Care Review Board System was fully funded by the General Assembly as a seperate State Agency. The Office of Child Advocacy existed as a program of the Review Board system until 1980, at which time it was returned to the Governor's Office. While under the Review Board System the Office of Child Advocacy conducted an ombudsman program for children in general and a training program in the prevention and identification of child abuse and neglect for hospitals and other organizations upon request.

In 1985 the Review Board system was placed under proviso legislation in order to restructure and reorganize the Agency. Permanent legislation and regulations passed by the General Assembly in 1986 restored the Agency to permanent status.

The Children's Foster Care Review Board System is currently comprised of a staff of fourteen serving twenty-eight Review Boards across the state. The Review Board system reviews the cases of approximately 4,000 children in public and private facilities and institutions twice annually, statistically evaluates the state of foster care in South Carolina and makes recommendations to the General Assembly and child caring facilities as outlined in the Review Board statute.

CHILDREN'S FOSTER CARE REVIEW BOARD SYSTEM

ORGANIZATIONAL CHART



STATUTORY AUTHORITY FOR THE AGENCY

Section 20-7-2379 through 2397 of the South Carolina Children's Code creates the Children's Foster Care Review Board System and establishes the Agency to administer case review in accordance with the provisions of Section 20-7-2376 as follows:

I. Board of Directors for Review of Foster Care of Children

The Board of Directors consists of seven members, all of whom must be past or present members of a local Review Board. There must be one member from each congressional district and one member from the State at large, all appointed by the Governor with advice and consent of the Senate. Members of the Board of Directors serve 4 year terms. A chairperson is elected from the membership of the Board for a two year term.

The Board of Directors is responsible for:

- a. the promulgation of regulations, pursuant to the provisions of Chapter 23 of Title 1, relating to the functions, policies, and procedures of the Review Board system.
- b. the promulgation of regulations to provide for necessary reports and other information required from state, county and private agencies and institutions.
- c. the report of recommendations to the General Assembly with regard to foster care policies, procedures, and any deficiencies of public and private agencies and institutions which arrange for foster care for children.
- d. the annual report to the General Assembly which includes the recommendations and the activities of the Review Board system.
- e. the review and coordination of the activities of the local Review Boards.
- f. the creation or dissolution of local Review Boards as necessary to maintain appropriate caseloads for each Board.
- g. the employment of the Agency Director.

II. Local Review Boards

There are twenty-eight local Review Boards, each composed of five members, from each of the sixteen judicial circuits throughout the state. Board members are appointed by the Governor upon recommendation by their respective legislative delegation. Their duties are as follows:

1. To review every six months cases of children who have resided in public or private foster care for a period of more than six consecutive months to determine what efforts have been made by the supervising agency or child caring facility to acquire a permanent home for such child. Review Boards will recommend continued placement in the child caring facility unless the parents are able to resume care, in at least those instances when:
 - a. children are privately placed in privately owned facilities or group homes; and
 - b. a notarized affidavit of summary review is executed by the child caring facility and is valid on its face; and
 - c. the affidavit of summary review is submitted to the Board every six months. It must be accepted by the Board if it attests to the statutorily mandated conditions and is valid on its face.
2. Except as provided in subsection (1), to encourage the return of children to their natural parents, or, upon determination during a case review of the local Review Board that this return is not in the best interest of the child, to recommend to the appropriate agency action be taken for a maximum effort to place the child for adoption.
3. To promote and encourage all agencies and facilities involved in placing children in foster care to place children with persons suitable and eligible as adoptive parents.
4. To advise foster parents of their right to petition the Family Court for termination of parental rights and for adoption and to encourage these foster parents to initiate these proceedings in an appropriate case when it has been determined by the local Review Board that return to the natural parent is not in the best interest of the child.

5. To recommend that a child caring facility or agency exert all possible efforts to make arrangements for permanent foster care or guardianship for children for whom return to natural parents or adoption is not feasible or possible as determined during a case review by the local Review Board.
6. To report to the State Office of the Department of Social Services and other adoptive or foster care agencies any deficiencies in these agencies' efforts to secure permanent homes for children discovered in the local Board's review of these cases as provided for in items (A) and (B) of this section.

Any case findings or recommendations of a local Review Board are advisory.

Any person or agency aggrieved by an action or recommendation of a local Review Board may seek relief by petition to the Family Court of that county which shall issue a rule to show cause why the action or recommendation of the local Review Board should not be set aside or modified. If a child caring facility or agency is not in agreement with the local Review Board recommendation relating to permanent placement of a child in its care, the child caring facility or agency shall notify the chairman of the local Review Board within twenty-one days after receipt of the recommendation.

III. Administration

The Administrative Unit of the Children's Foster Care Review Board System consists of the Executive Director, Staff Attorney, Review Board Program Supervisor, Business Manager, and Executive Support Specialist.

The duties of this unit are as follows:

- a. to apply for and to administer funds necessary for the operation of the Review Board System;
- b. to hire and to supervise Review Board System employees;
- c. to recommend new policies and procedures for consideration by the Board of Directors;
- d. to supervise the day to day operation of the Review Board System and to see that current policies and procedures are implemented;

- e. to provide training for Review Board members and staff, and;
- f. to conduct research and to maintain statistical data designed to improve the services to abused, neglected, abandoned and dependent children in South Carolina.

The seven Review Board Coordinators serve as staff to the twenty-eight local Review Boards. The coordinators provide a full range of administrative support services to the Boards. Each coordinator is assigned a caseload of approximately four local Review Boards and is responsible for the following:

1. to plan coordinate and participate in all Review Board meetings with the local Review Board members and the involved agency or institutional staff;
2. to formulate case information and Board recommendations for the appropriate placement plans;
3. to act as a liaison to the local Review Boards to interpret program objectives and to implement procedural changes as necessary to assure compliance with agency objectives and state and federal law;
4. to direct appropriate legal action to staff attorney from the local Review Board and to participate in court hearings;
5. to participate in professional meetings to promote and improve services to families on behalf of the local Review Boards;
6. to maintain central files on cases reviewed by local Review Boards;
7. to ensure proper distribution of all Review Board recommendations to parties in attendance and those notified of reviews;
8. to pursue necessary follow-up on cases in order to ensure the best recommendations for each local Review Board;
9. to ensure uniform implementation of all official policies and procedures promulgated by the Board of Directors.

Two Administrative Specialist B's handle all typing and clerical duties for the Review Board administrative staff and the Review Board coordinators.

**MEMBERS OF BOARD OF DIRECTORS,
REVIEW BOARD CHAIRPERSONS
AND STAFF**

I. Board of Directors

Christine O. Jackson, Chairperson Director of YWCA	Charleston
James Cheek Attorney	Spartanburg
Dan Compton Asst. Director, S.C. Baptist Ministries	Greenwood
Patricia F. Hartley Homemaker	Clinton
Martha Jo McGlothlin Elementary School Administrator	Moncks Corner
Francis S. McMeekin Director, Solicitor's School Program	Columbia
Linda Wright Professor	Summerville

II. Review Board Chairpersons

1A - Connie Covington	Orangeburg
2A - Martha Ebel	Aiken
3A - Lynne Bozard	Manning
4A - Sue Brigman	Blenheim
5A - Amelia Smith	Columbia
5B - Suzanne Rhodes	Columbia
5C - Robert Green	Columbia
5D - Dottie Ingram	Irmo
6A - June Stitzel	Heath Springs
7A - Lola Taggart	Spartanburg

7B - J. Arthur Bridges	Gaffney
8A - Eleanor Sommerville	Newberry
8B - Patricia Monroe	Prosperity
8C - David Dougherty	Greenwood
9A - Alma Wilbanks	North Charleston
9B - Cheryl Woods	Mt. Pleasant
9C - Henrietta Gaillard	Charleston
10A - Rev. J. Derrill Smith	Seneca
10B - Dick Helmly	Pendleton
11A - Marion Atkins	Columbia
11B - Katherine Scavens	Edgefield
12A - Betty Fowler	Marion
13A - Dr. Paul Wood	Central
13B - Regina Myers	Greenville
13C - Doris Lathan	Greenville
14A - Rachel Vanderhorst	Hardeeville
15A - Pat Schooler	Georgetown
16A - Richard M. Steele	Union

III. Staff

Cornelia D. Gibbons, ACSW.....	Executive Director
Susan Bowling.....	Review Board Coordinator
Hanna Buford.....	Review Board Coordinator
Robin Campbell.....	Review Board Coordinator
Joyce Cheeks.....	Staff Attorney
Cathy Fitz.....	Review Board Coordinator
Beth Green.....	Review Board Coordinator

Brenda Jordan.....Administrative Specialist B
Gale S. Kelley.....Business Manager
Elaine McCafferty.....Administrative Specialist B
Lisa A. Rubino.....Executive Support Specialist
Denise T. Ruff.....Review Board Program Supervisor
Phyllis Walker.....Review Board Coordinator
Williette Williams.....Review Board Coordinator

**FINANCIAL STATEMENT FOR
FY 1985-1986**

Adjusted Appropriations from State Budget.....\$403,560.00

Expenditures:

One unclassified position.....	\$ 25,260.50
Thirteen classified positions.....	225,792.94
One part-time position.....	787.78
Per Diem to Review Board members.....	26,512.50
Travel reimbursement to staff and Review Board members.....	19,579.11
Contractual services.....	19,672.65
Fixed charges.....	32,882.30
Supplies.....	3,940.39
Employer contributions.....	49,131.83

TOTAL:	\$403,560.00
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Balance at close of Fiscal 1986

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STATISTICAL SUMMARY

In 1985 the Children's Foster Care Review Board System reviewed a total of 4215 cases of children in foster care. This represented an increase in caseload of 13% from 1984. Between January 1, 1986 and June 30, 1986 the Review Board reviewed an additional 1026 new cases which represented a 25% increase since December 31, 1985. Thus, the number of active cases of children in foster care reviewed by this Agency has increased 41% between December 31, 1984 and June 30, 1986.

Statistical analysis of the data collected on these cases as of December 31, 1985 shows 2645 active cases and 1,570 closed cases. The Department of Social Services is the agency which has primary responsibility for 83% of the children reviewed. Primary responsibility is defined as the agency or facility through whom the child is placed. This agency or facility may or may not hold legal custody of the child. In 1985 the Department of Social Services held primary responsibility in 3510 cases; other public agencies held primary responsibility in 191 cases; and 514 children were the primary responsibility of private agencies or institutions.

The purpose of foster care is to provide temporary, time-limited, and goal oriented services to children and families with the goal of achieving permanent placement for the child as soon as possible; therefore it is important to measure the amount of time a child spends in care. In 1985 the average time in care for children reviewed by the Review Board was four years. This figure represents a 14 month decrease since 1977 in the average amount of time a South Carolina child spends in foster care.

Children reviewed or recorded included not only those children who were reviewed from January 1, through December 31, 1985, but also those children who were reviewed in 1984 and left foster care sometime in 1985 prior to their next six month review.

Demographic analysis of the children in foster care presents data as to age and race. Table A presents data on these children by age. The average age of children reviewed during 1985 was 8.37 years.

TABLE A
ACTIVE AND CLOSED CHILDREN'S CASES BY AGE

Age	Active	Closed	Total	% of Total Children Reviewed	Cumulative Percentage
0-1	516	214	730	17.0%	
2	120	69	189	4.5%	21.5%
3	128	65	193	4.6%	26.0%
4	128	70	198	4.7%	31.0%
5	127	66	193	4.6%	36.0%
6	102	66	168	4.0%	40.0%
7	130	54	184	4.4%	44.0%
8	108	63	171	4.1%	48.0%
9	114	50	164	3.9%	52.0%
10	159	67	226	5.4%	57.0%
11	190	94	284	6.7%	64.0%
12	218	113	331	7.9%	72.0%
13	233	102	335	7.9%	80.0%
14	198	106	304	7.2%	87.0%
15	98	143	241	5.7%	93.0%
16	47	94	141	3.3%	96.0%
17	18	68	86	2.0%	98.0%
18	7	33	40	1.0%	99.0%
19	3	29	32	1.0%	100.0%
20	1	3	4	<1.0%	
21	0	0	0	0.0%	
21+	0	1	1	<1.0%	
	2645	1570	4215		

Table B presents the data as to the race of each child. This data reflects an almost equal balance in the number of black and white children reviewed in 1985.

TABLE B
ACTIVE AND CLOSED CHILDREN'S CASES BY RACE

Race	Active	Closed	Total	Percentage
Black	1310	649	1959	47%
White	1255	896	2151	51%
Other	80	25	105	3%
	<u>2645</u>	<u>1570</u>	<u>4215</u>	

Children entered foster care in 1985 because of abuse, neglect, abandonment, or other reasons such as voluntary or private placement. Data for 1985 shows a 4% increase in the number of children who entered care as the result of abuse. Table C presents data on Reason for Placement by the number of children reviewed in 1985.

TABLE C
REASON FOR PLACEMENT

Reason for Placement	Active	% of Total Active Cases	Closed	% of Total Closed Cases	Total	%
Abuse	642	24%	283	18%	925	22%
Neglect	1136	43%	599	38%	1735	41%
Abandonment	185	7%	128	8%	313	7%
Other	682	26%	560	36%	1242	30%
	<u>2645</u>		<u>1570</u>		<u>4215</u>	

Tables D and E reflect data on children placed due to abuse, neglect, abandonment as to race and age. It is interesting to note that more black children enter care due to neglect and more white children enter care due to abuse.

TABLE D
REASON FOR PLACEMENT BY RACE

Race	Abuse	Neglect	Abandonment	Other
Black	272	708	95	234
White	359	402	82	413
Other	11	26	35	35

TABLE E
REASON FOR PLACEMENT BY AGE

Age	Abuse	Neglect	Abandonment	Other
0-1	113	278	19	106
2	32	62	4	22
3	31	72	2	23
4	34	68	10	16
5	33	66	7	21
6	26	48	10	18
7	36	53	12	29
8	27	49	9	23
9	34	37	11	32
10	35	52	16	56
11	47	63	11	69
12	59	67	17	73
13	64	75	16	78
14	45	67	22	64
15	20	45	10	23
16	4	18	6	19
17	2	6	2	8
18	0	6	1	0
19	0	3	0	0
20	0	1	0	0
21	0	0	0	0

Table F identifies closing data collected on the children who entered care due to abuse, abandonment, neglect or other reasons. The figures show that 30% of abused and neglected children are returned to their parents. Six hundred children representing 14% of the children reviewed reentered care in 1985. There has been a 2% increase over 1984 figures in the number of children who reentered care three times.

TABLE F
REASONS FOR LEAVING FOSTER CARE BY PLACEMENT REASON

Placement Reason	Abuse	Neglect	Abandonment	Other
Returned to parent	131	248	36	308
Placed adoptively	64	158	28	53
Returned to relative or individual	26	72	22	41
Other	1	14	4	60

Table G reflects the number of reentries experienced by children in 1985. It is interesting to note that 10% of all children still in foster care reentered foster care at least one time.

TABLE G
NUMBER OF REENTRIES FOR CHILDREN IN FOSTER CARE

Times reentered	# of children	% of total cases reviewed
1	442	10%
2	97	2%
3	39	1%
4	3	<1%
5	10	<1%
6	4	<1%
7	3	<1%
8	2	<1%

Analysis of a foster care system also looks at the number of placements experienced by a child. Multiple placements have been shown to be detrimental to the child's development. Some multiple placements result from the child's inappropriate behavior and disruption while others are the responsibility of the service providing agency. Table H shows placement data.

TABLE H
NUMBER OF FOSTER CARE PLACEMENTS FOR CHILDREN REVIEWED

Number of Placements	Active	Closed	Total	%
1 or more	2645	1570	4215	100%
2 or more	1701	909	2610	62%
3 or more	1093	554	1647	39%
4 or more	715	369	1084	26%
5 or more	471	248	719	17%
6 or more	351	178	529	13%
7 or more	246	128	374	9%
8 or more	183	101	284	7%
9 or more	144	82	226	5%
10 or more	114	70	184	4%

The Review Board issues recommendations for permanent placement on all cases reviewed. A summary of the recommendations and the percentage related to overall active cases is outlined in Table I. In 1985 the Review Board fulfilled its statutory mandate to issue recommendations for permanent placement for all children reviewed.

TABLE I
REVIEW BOARD RECOMMENDATIONS

Recommendation	Number of Recommendations	% of Active Cases
Return to parent(s)	498	19%
TPR/Adoption	666	25%
TPR/Foster Parent Adoption	247	9%
Free/Adoption	273	10%
Relative Placement	87	3%
Permanent Foster Care	251	9%
Affidavits of summary review accepted	97	4%
Residential treatment	57	2%
Other (e.g. independent living, continued foster care, etc.)	469	18%

TPR = Termination of parental rights

In 1985 1570 children left foster care. During this review period 353 more Department of Social Services' cases were closed out of the Foster Care Review Board System than in 1984, 155 more private cases were closed and 50 more public agency cases were closed. Overall 558 more cases were closed out of the Foster Care Review Board System as compared to 1984 statistics. This reflects a 55% increase. Forty-six percent of the 1570 children who left care in 1985 were returned to their parents. Adoptive placements were down in 1985 as they were in 1984. The number of children emancipated increased by 1%. Table J provides this data.

TABLE J
CHILDREN LEAVING FOSTER CARE BY REASON

Reason	Number of Children	% of Total Leaving Foster Care
Returned to parent	723	46%
Placed adoptively	303	19%
Returned to relative or individual	161	10%
Emancipated/Age of Majority	304	19%
Other	79	5%

All data used is collected and analyzed through the Agency's computerized data system designed in 1980 by the University of South Carolina Computer Center and Review Board staff. This information reflects data collected between January 1 - December 31, 1985 and represents all children in South Carolina who were reviewed or recorded by the local Boards during that time. The information recorded here pertains only to children who have spent six months or more in foster care.

The Foster Care Review Board System maintains additional statistical data on children in foster care. This report provides a summary of the data collected in 1985. Copies of full statistical analysis are available upon request.

COMPARATIVE STATISTICS

	<u>PRIOR TO</u> <u>JULY 1977</u>		<u>1984</u> <u>TOTALS</u>		<u>1985</u> <u>TOTALS</u>	
Total cases reviewed	2626		3729		4215	
Children leaving care	296	11%	1012	27%	1570	37%
Children returned home	140	5%	478	13%	723	17%
Children placed adoptively	61	2%	244	7%	303	7%
Children emancipated	46	2%	182	5%	304	7%
Children free for adoption	112	4%	420	11%	407	10%
Children in permanent foster care	97	4%	214	6%	223	5%
Children who reentered care	Data not available		637	17%	600	14%
Children privately placed	394	15%	420	11%	514	12%

Note: All percentage figures are based on the total number of children reviewed.

Review Board Recommendations

	<u>PRIOR TO JULY 1977</u>	<u>1984 TOTALS</u>	<u>1985 TOTALS</u>
Recommendation for return to parent	Data not available	565 15%	498 19%
Recommendation for return to relatives	Data not available	91 2%	87 2%
Recommendation for TPR and adoption	242 9%	941 25%	913 22%
Recommendation for permanent foster care	97 4%	214 6%	223 5%
Affidavit of Summary Review cases	Data not available	Data not available	97 2%

Note: All percentage figures are based on the total number of children reviewed.

RECOMMENDATIONS TO THE GENERAL ASSEMBLY

The Children's Foster Care Review Board is able through periodic six month review to provide a statewide overview of child welfare service delivery to foster children in South Carolina. Our review process and the statistical analysis of data collected by the Agency allow us to identify both progress and deficiencies within the foster care system. This report contains the recommendations of the Foster Care Review Board with regard to the foster care system and the deficiencies of the public and private agencies which provide foster care services. These recommendations are made in an effort to continue to insure that the best possible services are delivered to children and families in crisis in South Carolina.

The Review Board has identified seven areas of concern which this Agency feels require attention. These areas include the need for increased accountability in the delivery of services to foster children; the continued need to improve the quality and supervision of casework; the critical need to develop independent living programs for older teenagers in foster care; the need to evaluate aspects of the legal system as it relates to foster care; the need to continue to improve adoption services; the need to develop and maintain adequate treatment resources and programs for foster children; and the need to license all child caring facilities.

AREA I ACCOUNTABILITY FOR SERVICE DELIVERY BY RESPONSIBLE AGENCIES IS ESSENTIAL TO PROTECT THE RIGHTS OF CHILDREN AND FAMILIES

Accountability in the child welfare service delivery system is essential both to protect the rights of children and families and to assure that public monies are spent appropriately. Child welfare staff are accountable to the public that funds service programs, to the agencies that administer them, to their profession, to the Court and to clients. Agencies are responsible for judging staff accountability.

A child welfare program should be evaluated by the public and/or those who support it. There are three main purposes for such an evaluation: 1) to let the public or other supporters make wise decisions concerning support; 2) to motivate the public and other supporters to greater program support by involving them in the goals and activities of the program; and 3) to motivate the program staff to greater public service and efficiency by their awareness that their activities are being monitored.

The Review Board system provides an external measure of accountability for child welfare service delivery in South Carolina. Every six months the Foster Care Review Board conducts case reviews on all children who have been in foster care longer than six months. The recommendations issued by the local Review Boards carefully document violations of policies and law and other relevant service delivery concerns. Data from these recommendations is compiled along with the Agency's statistical information to identify and report deficiencies in the system.

In March 1986 the Review Board system began tracking the violations of policy and law cited in the local Review Board recommendations. The synopsis of the data collected during the second quarter of 1986 indicates serious accountability problems within our child welfare system. This data in Table A reflects public cases reviewed by the local Boards.

TABLE A

Cases in which no merit/ 30 day hearings had been held	36
Cases that had not been judicially reviewed	78
Cases in which court orders were not being followed by agencies	26
No court orders were available at the review	137
Not inviting interested parties	115
No treatment plans	36
No progress toward permanent plan for the child	48

South Carolina statute requires that each child placed in foster care due to abuse, neglect or abandonment receive both a ten day and a subsequent thirty day merit hearing on his case. South Carolina law requires that children who enter foster care under the removal statute receive annual court review of their case. Table A shows that over a three month period 78 cases did not receive the required court hearings.

The Foster Care Review Board is required by statute to report to the Family Court the status of judicially approved treatment plans. It becomes impossible for the local Boards to carry out this function when Court orders are not made available at local reviews. Table A indicates that Court orders were not available for 137 cases over a three month period. Review Board regulation 24-15 also requires that these orders be presented by the agencies at these reviews.

The local Review Boards require information from interested parties to make appropriate and thorough recommendations. Federal law, PL 96-272, requires that parents be invited. Review Board regulation and Department of Social Services policy require that the Department of Social Services be responsible for sending written notification of each review to appropriate parties. Table A shows that the required notification was not sent in 115 cases.

Many man hours and tax dollars are spent in South Carolina each year developing policies, procedures and laws necessary to improve the delivery of child welfare services. The frustration encountered in all aspects of a system dependent on structure and guidelines comes into play when the structure and guidelines are not followed. However, of greater importance than the frustration is the impact not adhering to policy and law has on the children in the foster care system. We must be accountable to these children.

The Review Board maintains that the organizational structure of the South Carolina Department of Social Services is one factor which creates accountability problems. The very nature of this large bureaucracy makes it difficult to enforce standards uniformly. The quality of service delivery and the degree of staff accountability varies greatly among the 46 counties.

The Review Board system is very concerned about this variation in the delivery of foster care services within the Department of Social Services. Data collected in 1985-86 on cases in which the Department of Social Services holds legal custody indicates that while some counties excell in permanency planning others do not.

For example, a comparison of two counties of comparable size shows that County A was cited by the Review Board for violations of law and policy in 25 cases while County B was cited only 5 times. Another example shows that fourteen counties with a total of 701 children in foster care finalized no adoption decrees in 1985. Of these fourteen counties eight also had no adoptive placements. Five of these same counties also returned no children home. In these same 14 counties the local Review Boards recommended return home, termination of parental rights and adoption and relative placement in 240 cases. These figures contrast with the 152 adoption decrees, the 82 adoptive placements and the 478 children returned home in the other 32 counties.

The goal of permanency planning is to move children out of foster care into permanent placements. One county had no children that had been reviewed by the local Review Board leave care in 1985 while another had only two children leave through emancipation. In these 2 counties the local Review Board recommended that 15 children leave care either through return home or termination of parental rights and adoption.

Numerous other examples of the disparity in service delivery between the counties can be cited. Suffice it to say this problem must be addressed. The Review Board recommends that the structure of the Department of Social Services be evaluated to identify methods to assure quality, uniform service delivery statewide.

AREA II THE QUALITY OF CASEWORK AND SUPERVISION AND THE TRAINING OF STATE CHILD WELFARE WORKERS MUST BE TOP PRIORITIES TO IMPROVE SERVICE DELIVERY IN SOUTH CAROLINA

The quality of casework and supervision in foster care is only as good as the staff who deliver these services. The staff is only as good as the training, education, experience, supervision and working conditions provided and/or required. The Review Board System is very concerned about the quality of casework and supervision within many county Departments of Social Services.

The concern about the quality of casework and supervision is not new. The 1984 annual report stated the following:

"The responsibilities of caseworkers have expanded greatly over the past ten years, yet the numbers of cases have remained high and training and support services remain inadequate. As preventive efforts have increased, only the more difficult children or family situations enter the system. It takes

more work with these types of cases and more skill than time usually allows. As the problems and needs have become more complex, the system has been slow to offer support. The Review Board continually hears that it is the emergency case that gets the top priority and others are left to be dealt with when time allows. Permanency planning and adoption often are low priority items for an overworked caseworker. Additional county workers are desperately needed."

South Carolina continues to face the problems created by inadequate numbers of and poorly trained direct service staff and supervisors. The recent South Carolina Child Fatalities Committee Report highlights Department of Social Services' problems with supervision and training:

"In 22% of the cases reviewed, DSS policy was found not to give guidance which was specific enough to assist casework staff in practice... Policies regarding standards for training to maintain certification were found to be inadequate as there is no set curriculum to which staff must adhere."
(Executive Summary of South Carolina Child Fatalities Committee, July 9, 1986 p.24)

The Review Board is very concerned about the quality and timeliness of training provided new workers. During 1986 four members of the Foster Care Review Board staff attended the Department of Social Services' training program for permanency planning and adoption. This training is mandatory for all new Department of Social Services workers and is a part of their certification training. Review Board staff found the training package presented at this session to be inadequate to meet the needs of frontline caseworkers. Many presenting staff were poorly prepared to answer questions asked by new staff and often policies were misstated or not known at all. In addition, many of the workers present had been delivering permanency planning, adoption and protective services in their home counties prior to receiving any formal training.

The data presented in Table A on page 24 reflects the problems caused by inadequate training and caseloads too large to manage appropriately. That 36 cases seen by the local Review Boards within a three month period had no treatment plan and 48 others showed no progress towards a permanent plan within a six month period is a clear indication of casework inadequacy.

Another area of concern encountered by the Review Board in their case reviews is the lack of legal training and preparation that Department of Social Services personnel

receive to enable them to build, document and present a case to the Court. At all levels social work staff need intense training to prepare them for dealing with the Court system, law enforcement and the medical profession. The reverse is also true in that the legal, medical and law enforcement fields should have a clear picture of the roles and responsibilities of Department of Social Services personnel and should have a basic understanding of child welfare principles.

The lives of children are affected daily by the quality of casework and supervision. The Review Board sees many excellent, professional workers and supervisors within certain areas of the Department of Social Services. The Board also sees inadequate workers who compound the problems faced by foster children and their families through poor casework. Professionals who work most closely with children in care, especially the children with the most serious problems, are the staff members who need the most specialized training.

AREA III INDEPENDENT LIVING PROGRAMS MUST BE DEVELOPED TO PROVIDE TEENAGERS THE SKILLS AND RESOURCES NECESSARY TO FUNCTION AS ADULTS

The Review Board system is very concerned about the increasing number of children who leave the foster care system at the age of majority with inadequate independent living skills. Figures for 1985 show 304 children left foster care through emancipation compared to 182 children in 1984. Statistics further show 372 children currently in care who are ages 14 to 17 and who probably will leave care through emancipation within the next few years.

Foster children in the custody of the Department of Social Services who reach age 18 and are not in school, training, or specialized programs are discharged from the system through emancipation. Problem or difficult teens may be discharged from the system before age 18 either through early emancipation by the Family Court or a Court order to relieve the agency of custody. These children tend to leave the system with inadequate education and job skills, no family resources to depend on and no place to call home.

South Carolina must develop independent living programs to provide these teenagers the skills and resources necessary to survive and thrive as adults. Several

private organizations are currently developing such independent living programs and the Department of Social Services is very interested in this area. Financial support for statewide independent living programs is necessary to provide these teenagers the opportunity to succeed as adults.

It is important to note that foster care can be extended to age 21. PL 94-142 provides that handicapped children who receive special educational services are entitled to be educated until age 21. This law supports the concept that children or teens with problems deserve treatment and education rather than "a boot" out of the system. In addition, South Carolina Department of Social Services policy allows children to remain in foster care until the age of 21 if they remain in school. The Review Board supports maintaining teenagers in foster care until age 21 when additional educational and training services can be provided.

National attention has been drawn to the problems which result from emancipation without appropriate independent living skills. The Delaware Foster Care Review Board System Annual Report for 1985 cites the following legal issues involved in emancipation:

In Palmer v. Cuomo, "Plaintiffs are six foster care recipients between the ages of 18 and 21 who have been discharged from their foster care placement to 'independent living'"....The New York State Supreme Court found "that plaintiffs are entitled to the preliminary conjunctive relief they request. Not only have they demonstrated a likelihood of success by dramatizing defendants failure to comply with applicable provisions of the social services law and the regulations, but they have ably documented the consequences of defendants' action on their lives. Homelessness itself constitutes irreparable injury. In addition, discharged foster children who apply for public assistance may be rejected if they do not have a permanent residence. Considering the current circumstances of the plaintiffs, their lack of resources and alternatives, it is clear that the balance of equities lies with them as well."

The Children's Defense Fund has recognized the significance of this problem and states the following:

"Yet every year, many thousands of teenagers, 'age out' of foster care with no guarantee that they have either the basic survival skills, the resources, or the emotional strength they will need to make it on their own. States are just

beginning to set up programs to help these youths get established in the outside world. Without such help, many of them may pass quickly from one form of dependency - foster care - to another, ending up in a shelter for the homeless, on welfare, or in the adult criminal justice or mental health systems." (Children's Defense Reports, December, 1985, Volume 7, No. 9, p.3)

South Carolina can ill afford to increase our already burgeoning criminal justice population by ignoring the development of such critical preventive programs.

AREA IV THE MANNER AND PRESENTATION OF LEGAL MATTERS TO THE FAMILY COURT REQUIRES EVALUATION AND IMPROVEMENT TO GUARANTEE DUE PROCESS TO ALL PARTIES

The review process provides this Agency an overview of the legal system as it relates to children in foster care. Reviews in 1985-86 have identified a statewide problem in the manner and presentation of legal matters to the Family Court. The Review Board feels that this problem requires evaluation and improvement to guarantee due process to all parties involved.

Our first concern is that many cases do not reach the Court in a timely manner. Data presented in Table A on page 24 shows that in the second quarter of 1986 thirty-six cases did not receive a merits hearing within the required 30 days and seventy-eight cases were late for judicial review, both violations of state law.

The Review Board also sees many termination of parental rights and adoption cases which do not reach the Court in a timely manner as defined by Department of Social Services' policy. The local Review Boards hear a variety of reasons for delays in the legal process. These reasons range from poor case documentation to attorneys who do not handle cases expeditiously, to problems with the system itself. It is not our purview to identify the exact causes of the delays, but rather to point out that many children remain in foster care longer than necessary because the legal system is slow to respond to their needs.

The Review Board is also concerned about the number of cases in which Court ordered treatment plans are not followed. See Table A on page 24. The Review Boards' recommendations report to the Family Court and the appropriate agency all cases in which Court orders are not followed. The Review Board is currently working with a committee of Family Court Judges to facilitate additional methods of reporting to the Family Court on treatment plan implementation.

The Family Court is the body charged with the disposition of cases involving foster children in South Carolina. It is essential that the Court receive comprehensive, accurate information in a timely manner and that all Court orders be followed.

AREA V ADOPTION SERVICES AND PROGRAMS CONTINUE TO REQUIRE IMPROVEMENT TO ASSURE ADOPTIVE PLACEMENTS FOR APPROPRIATE CHILDREN

The 1984 Foster Care Review Board statistics showed that adoption services had fallen to a critical point in South Carolina. The 1985 Foster Care Review Board statistics showed yet another 5% decrease in the number of children placed adoptively. These statistics reflect only children free for adoption and do not include the children for whom termination of parental rights and adoption is the plan.

It is evident that time frames for placing children adoptively continues to be a problem. In 1985 the local Review Boards recommended adoptive placements for 273 children who were free and awaiting adoptive placement. The Review Board continues to see children appropriate for adoption lingering in the foster care system because staff is inadequate to handle specialized adoption counselling and child-specific recruitment.

The Review Boards also see the need for additional services for those children who may be appropriate for adoption but who are not yet legally free. Until adoptive placement is located for a child who may be hard to place, no legal action toward termination of parental rights is initiated. Many of these children never receive adoption services because of the lack of adequate specialized staff.

The implementation of regional adoption offices administered by the state office of the Department of Social Services should bring improvements in adoption in South Carolina. The regional offices will allow workers to concentrate only on adoption. The Review Boards are supportive of the regional concept and expect improvement in adoption services for FY 86-87.

AREA VI ADDITIONAL TREATMENT RESOURCES AND SPECIALIZED FOSTER CARE PROGRAMS ARE NECESSARY TO MEET THE NEEDS OF CHILDREN IN FOSTER CARE

The availability of adequate treatment resources and programs for foster children is a need cited annually in

this report. Children enter foster care with many problems as the result of abuse, neglect and/or the emotional upheaval of leaving home. These risk factors can be compounded when adequate treatment is not readily and consistently available.

The Review Board recommends the development of more therapeutic foster homes to meet specialized needs of foster children. The Agency also supports the development of community based residential and outpatient treatment resources for emotionally disturbed foster children. Several organizations have made funding requests through the Children's Trust Fund for the development of a training and support system for specialized, therapeutic foster parents. Such a program is desperately needed in South Carolina and should be carefully developed and implemented statewide.

The Review Board also encourages foster care provider agencies to exert better efforts to match foster children to families before placement. More appropriate matching would both eliminate some of the problems encountered by children in care and would reduce multiple placements. The 1985 statistics show 184 children reviewed experienced as many as 10 foster care placements.

Foster care is defined as a temporary, goal-oriented treatment service. We must provide each foster child the treatment resources necessary to develop normally.

AREA VII ALL CHILD CARING FACILITIES SHOULD BE LICENSED TO INSURE THAT ALL CHILDREN IN FOSTER CARE RECEIVE PERMANENCY PLANNING SERVICES

In 1985 this Agency reviewed 514 privately placed children. The Review Board statute Section 20-7-2376 provides that if certain conditions are met the Review Board may accept a notarized affidavit of summary review in lieu of full review on children who have been privately placed in private institutions. Conditions for the affidavit of summary review are: 1) that the person who placed the child in the facility has legal custody of the child; 2) no court has ordered the child's placement in the facility; 3) the facility has no knowledge that the child has ever been abused, abandoned or neglected while in the care of the person placing the child in the facility; 4) the person placing the child in the facility contributes regularly to the child's support; and, 5) the

person placing the child in the facility maintains regular visitation with the child. An affidavit of summary review was accepted for 97 of the 235 private cases that were still active as of December 31, 1985.

The Review Board has established a positive working relationship with the private facilities currently being reviewed. Many of these facilities are now providing services and programs to children and families with a goal of developing a permanent plan for each child. Review Board statistics also show an increased number of children returning to their parents after placement in a private facility.

The Review Board remains concerned that South Carolina does not require private child caring facilities to be licensed. The Review Board feels very strongly that all child caring facilities should be licensed to assure that all children in care have the opportunity for normal growth and development within either the child caring facility or a permanent family. Child caring facilities in South Carolina currently can be licensed on a voluntary basis and all facilities who accept children in the custody of public agencies must be licensed. Licensing would insure that all child caring facilities receive regular contact from interested outside parties and would help prevent the development of inappropriate child caring programs in South Carolina.

DOCUMENTS

Manual of Policies and Procedures relating to the Children's Foster Care Review Board System in South Carolina, (revised January, 1986)

A Summary of Statistical Information Regarding Children Reviewed by the Children's Foster Care Review Board System prior to July 1, 1977

A Summary of Statistical Information Regarding Children Reviewed by the Children's Foster Care Review Board System prior to January 1, 1978

A Summary of Statistical Information Regarding Children Reviewed by the Children's Foster Care Review Board System prior to January 1, 1979

A Summary of Statistical Information Regarding Children Reviewed by the Children's Foster Care Review Board System during the 1979 Calendar Year

A Summary of Statistical Information Regarding Children Reviewed by the Children's Foster Care Review Board System during the 1981 Calendar Year

A Summary of Statistical Information Regarding Children Reviewed by the Children's Foster Care Review Board System during the 1982 Calendar Year

A Summary of Statistical Information Regarding Children Reviewed by the Children's Foster Care Review Board System during the 1983 Calendar Year

State Advisory Board Reports to the General Assembly: 1978, 1979, and 1982